

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

JARRED JOHNSON	)	
	)	
Plaintiff,	)	
	)	No. 3:12-cv-00186
v.	)	
	)	
TRUCAP REO CORP.,	)	
MARIX SERVICING, LLC and WEISS	)	Removed from Chancery
SPICER CASH, PLLC	)	Court for the 21 <sup>st</sup> Judicial
	)	District of Tennessee
Defendants.	)	(Williamson County)
	)	No. 40536

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**MOTION TO ALTER OR AMEND ORDER OF DISMISSAL**

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COMES NOW, Plaintiff Jarred Johnson, by and through the undersigned counsel, pursuant to Rule 59 of the Federal Rules of Civil Procedure, and files this Motion to Alter or Amend the Order entered by this Court on March 21, 2012 which dismissed this cause against Defendants TruCap REO Corp. and Marix Servicing, LLC, only, to set said judgment of dismissal aside, reinstate the Complaint against the aforesaid Defendants, and allow Plaintiff a reasonable time to respond to the Motion to Dismiss filed in this cause, or alternatively, amend said Order to dismiss the aforesaid Defendants without prejudice, and as grounds therefore, Plaintiff would cite his Memorandum of Law filed pursuant to Local Rule 7.01(a) and accompanying Affidavit.

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/s/David Wade  
David Wade (#4166)  
Brett A. Schubert (#23356)  
Martin, Tate, Morrow & Marston, PC  
Attorneys for Plaintiff  
6410 Poplar Avenue, Ste 1000  
Memphis, TN 38119  
(901) 522-9000  
[dwade@martintate.com](mailto:dwade@martintate.com)  
[bschubert@martintate.com](mailto:bschubert@martintate.com)

**CERTIFICATE OF SERVICE**

I, David Wade, affirm that the foregoing has been served via ECF upon David M. Anthony, Bone McAllester Norton, PLLC, counsel for Defendants Trucap REO Corp. and Marix Servicing, LLC, 511 Union Street, Ste 1600, Nashville, TN 37219, and by U.S. Mail postage prepaid to Weiss Spicer Cash, PLLC, c/o Arnold Weiss, 208 Adams Avenue, Memphis, Tennessee 38103, this the 18<sup>th</sup> day of April, 2012.

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/s/David Wade  
David Wade